

Assembly Bill No. 1575

Passed the Assembly August 20, 2014

Chief Clerk of the Assembly

Passed the Senate August 18, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 19139 to the Government Code, relating to personal services contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1575, Pan. Personal services contracts: reports and termination of contracts.

The California Constitution establishes that the civil service includes every officer and employee of the state, except as otherwise provided in the California Constitution, and requires civil service appointment to be made under a general system based on merit ascertained by competitive examination.

The State Civil Service Act establishes standards for the use of personal services contracts by state agencies and authorizes personal services contracts when prescribed conditions are met.

Existing law sets forth requirements for the acquisition of goods and services by state agencies and sets forth the various responsibilities of the Department of General Services and other state agencies in overseeing and implementing those state contracting procedures and policies.

This bill would require personal services contracts to include specific performance criteria and cost parameters, require reports by the contractor, and provide for cancellation by the state contracting agency if the contractor fails to comply with contract requirements or the law, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 19139 is added to the Government Code, to read:

19139. Any personal services contract shall incorporate specific performance criteria and cost parameters, and the contractor shall submit quarterly reports to the state agency's contracting official on the contractor's compliance with the performance criteria and actual amounts billed to the state agency. The personal services contract may be canceled if the contractor fails to comply with the performance criteria and other requirements set out in the contract

and if annual charges exceed those established by the contract. The personal services contract may be canceled at any time if the contractor fails to comply with all applicable local, state, and federal laws, regulations, and statutes related to the contract.

Approved _____, 2014

Governor